

**MELLINGER, SANDERS & KARTZMAN, LLC**

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*Attorneys for Steven P. Kartzman, Chapter 7 Trustee*



Order Filed on January 3, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**In re:**

**MARTIN L. LANER,**

**Debtor.**

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

Case No.: 19-14107 (VFP)

Chapter 7

Honorable Vincent F. Papalia

**CONSENT ORDER RESOLVING TURNOVER OF PROPERTY OF  
THE ESTATE TO THE TRUSTEE PURSUANT TO 11 U.S.C. § 542(a)  
AND TRUSTEE'S OBJECTION TO DEBTOR'S EXEMPTIONS**

The relief set forth on the following pages is hereby **ORDERED**.

**DATED: January 3, 2020**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".  
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**Honorable Vincent F. Papalia**  
**United States Bankruptcy Judge**

Page 2 of 4

Debtor: Martin L. Laner

Case No.: 19-14107 (VFP)

Caption: Consent Order Resolving Turnover of Property of the Estate to the Trustee Pursuant to 11 U.S.C. § 542(a) and Trustee's Objection to Debtor's Exemptions

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THIS MATTER having been brought before the Court by Steven P. Kartzman, the Court-appointed Chapter 7 Trustee (the "Trustee"), by and through his attorneys Mellinger, Sanders & Kartzman, LLC, on application for the entry of a Consent Order Resolving Turnover of Property of the Estate to the Trustee Pursuant to 11 U.S.C. § 542(a), and by way of an Objection to the Debtor's Claim of Exemptions (Dkt. No. 30); and the Trustee and the debtor, Martin L. Laner (the "Debtor") having agreed to amicably resolve the issues on the terms set forth herein, as appears from the signatures of counsel; it is hereby

ORDERED AS FOLLOWS:

1. The Debtor shall turnover to the Trustee the funds received from Panurgy, LLC, in the sum of \$6,100 (the "Panurgy Payment") within ten (10) days of the date of entry of this Order.
2. The Debtor shall to pay to the Trustee the sum of \$7,360.00 (the "Settlement Amount"), as follows:
  - a. \$817.77 paid by January 2, 2020 (the "Initial Payment");
  - b. \$817.77 per month, beginning with February 1, 2020, on the first of each month, for a total of 7 months (the "Monthly Payments"); and
  - c. \$817.84 paid by September 1, 2020 (the "Final Payment" and together with the Panurgy Payment, Initial Payment and the Monthly Payments the "Settlement Payments").
3. To the extent that the Debtor fails to make the required Settlement Payments, the Trustee shall file a certification of default with the Court on notice to the Debtor. Should the Debtor fail to cure the default within ten (10) days of the filing of a certification of default, the Court shall:

Page 3 of 4

Debtor: Martin L. Laner

Case No.: 19-14107 (VFP)

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- a. Enter a non-dischargeable judgment against the Debtor in an amount equal to 1.5 times the Settlement Amount, less payments made to the Trustee (the "Judgment"); and
  - b. Enter an order revoking the Debtor's discharge pursuant to 11 U.S.C. § 727(d).
4. The Debtor shall turnover to the Trustee all of the former inventory of Carey Lane Accents, within ten (10) days of a demand thereof, absent the Trustee's abandonment of said inventory.
5. The Debtor shall not have and/or assert any exemption claims as to any funds received by the estate pursuant to this Consent Order.
6. Once the Settlement Amount is paid to the Trustee, the Trustee shall abandon any and all claims to the Debtor's assets listed on the petition at Dkt. No. 1, No. 10, and No. 27, other than the Carey Lane Accents inventory.
7. The parties hereto shall execute any and all documents and pleadings reasonably necessary to implement all of the foregoing provisions.
8. The terms of this Consent Order are subject to the Court's approval and the issuance of a Notice of Settlement (the "Notice") and the following:
  - (a) If no objection to the Notice is filed, the issuance and docketing of a Certification of No Objection by the Clerk of the Bankruptcy Court; or
  - (b) If any objection to the Notice is filed, the overruling of any such objection by this Court.

In the event that an objection to the settlement is filed and sustained, the parties shall be restored to their pre-settlement positions.

Page 4 of 4

Debtor: Martin L. Laner

Case No.: 19-14107 (VFP)

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9. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

10. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

*The undersigned hereby consent to  
the form and entry of the within Order:*

MELLINGER, SANDERS  
& KARTZMAN, LLC  
*Attorneys for Trustee*

McNALLY & BUSCHE, LLC  
*Attorneys for Debtor*

By: Judah B. Loewenstein  
JUDAH B. LOEWENSTEIN, ESQ.

By: Stephen B. McNally  
STEPHEN B. MCNALLY, ESQ.

Dated: December 26, 2019

Dated: December 23, 2019

## Certificate of Notice Page 5 of 5

United States Bankruptcy Court  
District of New JerseyIn re:  
Martin L. Laner  
DebtorCase No. 19-14107-VFP  
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jan 03, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 05, 2020.

db +Martin L. Laner, 18 Quarterhorse Crossing, Sparta, NJ 07871-3572

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 05, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 3, 2020 at the address(es) listed below:

Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON rsolarz@kmlawgroup.com  
 Stephen B. McNally on behalf of Debtor Martin L. Laner steve@mcnallylawllc.com,  
 jennifer@mcnallylawllc.com;lauren@mcnallylawllc.com;b.sr70072@notify.bestcase.com  
 Steven P. Kartzman on behalf of Debtor Martin L. Laner kartztee@optonline.net,  
 jzapata@msklaw.net;njl6@ecfcbis.com;jloewenstein@msklaw.net  
 Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net,  
 jzapata@msklaw.net;njl6@ecfcbis.com;jloewenstein@msklaw.net  
 Steven P. Kartzman kartztee@optonline.net,  
 jzapata@msklaw.net;njl6@ecfcbis.com;jloewenstein@msklaw.net  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6